



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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February 13, 1997

Karla Holt
Sedgwick and James
P.O. Box 2151
Spokane, Washington 99210

Re: Replacement Surety Bond, Cominco American Incorporated, Apex Mine, M/053/004, Washington County, Utah

Dear Ms. Holt:

Per your telephone request today, we have enclosed the original surety bond (number 41-0130-03886-97-0), which Cominco American Incorporated posted with this office for the Apex Mine, located in Washington County, Utah. Date and acreage errors were noted on page 1 of the surety bond form. On February 5, 1997, we contacted David Godlewski (Cominco American) who advised us to make the appropriate corrections. He was to contact us by February 7th if this was unacceptable to the surety company. We received no response and consequently made the necessary changes.

You advised us today that our changes were not acceptable and that a new surety bond would need to be issued. It is our understanding that the new replacement surety will be given the same number. Please be aware that *nothing* can be changed on the form; the amount, dates, etc. must remain the same. Also, we **must** have the original surety back to this office by February 25th or we will have no alternative other than to pull Cominco's item from the Board's agenda.

Thank you for your prompt attention to this matter.

Sincerely,

D. Wayne Hedberg
Permit Supervisor
Minerals Reclamation Program

jb
cc: C. Bruce Diluzio, Cominco American
M/053/004.ltr